IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.10017 OF 2004

The Solapur Timber Merchant
Association & Ors. ...Petitioners.

Vs.

Municipal Corporation, City
of Solapur & Ors. ...Respondents.

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Mr.A.M.Kulkarni for the Petitioners.

Mr.G.S.Godbole for Respondent No.2.

Mr.A.H.Palekar, AGP for Respondent No.3.

Mr.I.M.Khairadi for Respondent No.1.

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CORAM : DR.D.Y.CHANDRACHUD, J.

April 28, 2005.

P.C. :

Counsel appearing on behalf of the Second Respondent states that in pursuance of the agreement which has been entered into by the Second Respondent with the Municipal Corporation of the City of Solapur, the First Respondent, for

executing the project on a Build, Operate and Transfer (B.O.T.) basis, the reservation of the plot for the purposes of a Timber Market is being fulfilled and that the allotment of commercial space in the market shall be made only to persons engaged in the timber trade and the related trade of building material suppliers. The statement of the Second Respondent is accepted. The Second Respondent shall file an undertaking in the aforesaid terms before the IInd Joint Civil Judge, Senior Division, Solapur in Regular Civil Suit No.527 of 2004 by 6th June 2005. The Second Respondent shall also file a statement containing the persons to whom the allotment has been made or will be made hereafter and the purpose for which the allotment shall be made. In this view of the matter, no further reliefs have been sought in the present proceedings. Counsel appearing on behalf of the Second Respondent states that in the event that any member of the First Respondent applies for allotment of commercial premises in the market, their applications will be duly considered subject to their agreeing to fulfil the requirements of the reservation and all the terms and conditions which will be made uniformally applicable to all allottees.

The Petition shall accordingly stand disposed of.

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